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ABSTRACT

Drawing on data from a study of Title I of the Elementary and Secondary Education Act (ESEA), this report focuses on Title I's supplement-not-supplant and excess costs provisions and their effects on program design. Following discussions of the legal framework of Title I and Chapter 1 of the Education Consolidation and Improvement Act (ECIA), the report's central section details findings concerning current program design practices (pullout vs. inclass), school district rationales for program design choices, and the relationship of Title I programs to regular classroom instruction. The next section, "Continuing Misconceptions about the Supplement-Not-Supplant Provision," is followed by a summary and outline of implications, a selected bibliography, and appendixed providing (1) "Title I Excess Costs Models Applying the Supplement-Not-Supplant Concept to Program Design," (2) an excerpt from a United States Department of Education Title I evaluation report to Congress, (3) an excerpt from a school district's 1981 policy memorandum discussing alternatives to the pullout approach, and (4) a 1981 school district memorandum excerpt explaining the district's elementary level excess costs for reading and math programs. The report concludes by encouraging further examination of the implementation of the requirement that federally funded compensatory education provide supplemental rather than substitute services. (JBM)

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THE EFFECTS OF THE TITLE I SUPPLEMENT-NOT-SUPPLANT AND EXCESS COSTS PROVISIONS ON PROGRAM DESIGN DECISIONS

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A SPECIAL REPORT
FROM THE
TITLE I DISTRICT PRACTICES STUDY

THE EFFECTS OF THE TITLE I SUPPLEMENT - NOT-SUPPLANT AND EXCESS COSTS PROVISIONS ON PROGRAM DESIGN DECISIONS

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PREFACE

The Title I District Practices Study was conducted by Advanced Technology, Inc. for the U.S. Department of Education's Planning and Evaluation Service. One goal of this study was to describe how local districts operated projects funded by Title I of the Elementary and Secondary Education Act [ESEA] in the 1981-82 school year. A second, related goal was to document local educators' rationales for their program decisions, their perception of the problems and benefits of requirements contained in the 1978 Title I Amendments, and their assessments of the expected effects of Chapter 1 of the Education Consolidation and Improvement Act [ECIA] on school district operations of Title I projects. The study was designed specifically to draw cross-time comparisons with the findings of the Compensatory Education Study conducted by the National Institute of Education [NIE] and to provide baseline data for subsequent analyses of Chapter 1, ECIA's administration.

The results of the Title I District Practices Study are presented in this and eight other special reports (see back cover), plus the study's Summary Report. These reports synthesize data collected from a mail questionnaire sent to Title I Directors in more than 2,000 randomly selected school districts, structured interviews and document reviews in 100 nationally representative Title I districts, and indepth case studies in 40 specially selected Title I districts.

To meet the objectives of this major national study, a special study staff was assembled within Advanced Technology's Social Sciences Division. That staff, housed in the Division's Program Evaluation Operations Center, oversaw the study design, data collection and processing, analysis work, and report preparation. The study benefited from unusually experienced data collectors who, with Advanced Technology's senior staff and consultants, conducted the structured interviews and case studies. Two consultants, Brenda Turnbull of Policy Studies Associates and Joan Michie, assisted in major aspects of the study including the writing of special reports and chapters in the Summary Report. Michael Gaffney and Daniel Schember from the law firm of Gaffney, Anspach, Schember, Klimaski & Marks, P.C., applied their longstanding familiarity with Title I's legal and policy issues to each phase of the study.

The Government Project Officers for the study, Janice Anderson and Eugene Tucker, provided substantive guidance for the completion of the tasks resulting in these final reports. The suggestions of the study's Advisory Panel and critiques provided by individuals from the Title I program office, especially William Lobosco and Thomas Enderlein, are also reflected in these reports.

Members of Advanced Technology's analytic, management, and production staff who contributed to the completion of this and other reports are too numerous to list, as are the state and local officials who cooperated with this study. Without our

mentioning their names, they should know their contributions have been recognized and truly appreciated.

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Title I District Practices Study

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THE EFFECTS OF THE TITLE I SUPPLEMENT-NOT-SUPPLANT AND EXCESS COSTS PROVISIONS ON PROGRAM DESIGN DECISIONS

SUMMARY

This report draws upon data from the Title I District Practices Study to describe program design (pullout vs. inclass) practices and school district rationales for them. Particular emphasis is placed on the Title I supplement-not-supplant and excess costs provisions and their effects on program design. The report also describes relevant changes made in these provisions by Chapter 1 of the Education Consolidation and Improvement Act [ECIA] and reflects briefly on possible program design practices under Chapter 1.

The Title I supplement-not-supplant and excess costs provisions are two closely related statutory requirements designed to ensure that Title I funds are used to provide extra services for participating children and not to pay for a child's regular education. The purpose of these two provisions is to protect Title I participants against financial discrimination by making sure they receive their fair share of the state and local funds that would be spent for their education if Title I did not exist.

Some school districts have not understood how to design Title I projects that provide supplemental rather than substituted services and have erroneously believed that Title I requires a pullout design. The Title I statute and regulations have never required use of a pullout or inclass design, as Congress reemphasized in 1978 when it directed the development of

models explaining how to design supplemental Title I projects. Congress again emphasized in Chapter 1 that a pullout design can not be required to demonstrate compliance with the supplement-not-supplant provision.

Selected findings from the study illustrate district program design practices, the reasons given for such practices, and the interaction between program design practices and the supplement-not-supplant and excess costs provisions:

- Most districts surveyed (92 percent) use a pullout design for part or all of their Title I program; this overwhelming reliance on the pullout approach for delivering part or all of Title I services holds true across districts of various enrollment sizes.
- About a third (30 percent) of the districts surveyed use an inclass model for part or all of their program, and use of inclass designs is increasing; very large districts (79 percent) use the inclass approach for part or all of their program much more than do small districts (28 percent).
- A belief in the educational superiority of a program design for part or all of a district's program was the most frequent reason given for use of the pullout design (81 percent) and/or the inclass design (75 percent).
- Compliance with Title I's funds allocation provision was the second most frequent reason (61 percent) given by districts for use of the pullout design and the third most frequent reason (45 percent) was "state Title I office has advised use of this design."
- Past misconceptions about the supplement-not-supplant provision still exist and affect program design practices.

Program design practices under Chapter 1 may be influenced by several factors:

- Some districts may reexamine the extent of their use of pullouts in light of the Chapter 1 provision saying pullouts cannot be required to prove compliance with the supplement-not-supplant provision.

- Use of the inclass design, which was already increasing under Title I, may accelerate in some districts if appropriations for Title I/Chapter 1 continue to decline.

- Some districts may eventually understand better how to design projects that provide supplemental, rather than substituted, services as a result of the models in Title I guidelines and Chapter 1's draft nonregulatory guidance document.*

- The cumulative impact of changes wrought by Chapter 1, and the fiscal situation may, over time, produce shifts in program design practices.

Further inquiry into the interaction of program design and the supplement-not-supplant provision under Chapter 1 would be a useful way of continuing to examine implementation of the requirement that federally funded compensatory education provide supplemental rather than substituted services.

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*U.S. Department of Education, Nonregulatory Guidance to Assist State Educational Agencies Administering Federal Financial Assistance to Local Educational Agencies for Project Designed to Meet the Special Educational Needs of Educationally Deprived Children under Chapter 1 of the Education Consolidation and Improvement Act of 1981, p. 40, April 22, 1982 (Draft). (Hereafter referred to as the draft nonregulatory guidance document.)

THE EFFECTS OF THE TITLE I SUPPLEMENT-NOT-SUPPLANT AND EXCESS COSTS PROVISIONS ON PROGRAM DESIGN DECISIONS

INTRODUCTION

Title I of the Elementary and Secondary Education Act [ESEA]* makes Federal funds available to school districts "serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means . . . which contribute particularly to meeting the special educational needs of educationally deprived children" (§101 of Title I, emphasis added). To help ensure that Title I funds are used to "expand and improve" services for participating children, and not to pay for a child's regular education, the law and regulations contain certain funds allocation provisions designed (1) to make Title I "supplement not supplant" the state and locally funded base program (§126(c) of Title I) and (2) to make Title I pay for the "excess costs" of compensatory education (§126(b) of Title I).**

These provisions have the same purpose. The basic supplement-not-supplant mandate generally requires that students in Title I programs receive the same level of state and local funds

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*Hereafter referred to as Title I.

**The comparability (§126(e) of Title I) and maintenance-of-effort (§126(a) of Title I) provisions also play a role in ensuring that Title I funds are used to "expand and improve" services. These provisions are not discussed in this report, however, since, unlike the supplement-not-supplant and excess costs requirements, they do not directly influence the program design choices (inclass vs. pullout) discussed in this report.

they would have received in the absence of Title I.* Similarly, the excess costs provision ensures that Title I provides supplemental services by requiring that Title I funds pay only for the excess costs of Title I programs and projects.** Without the supplement-not-supplant/excess costs provisions, the supplemental nature of Title I would be eroded; there are "strong pressures" to use Title I to support a child's regular education instead of to provide extra services (National Institute of Education [NIE], 1978, p. 166).

Chapter 1 of the Education Consolidation and Improvement Act [ECIA]*** of 1981 (P.L. 97-35), effective October 1982, makes two general changes in the Title I legal framework for the supplement-not-supplant and excess costs provisions. First, Chapter 1 eliminates the excess costs provision. Second, Chapter 1 now allows certain "special state and local program funds" for compensatory education to be excluded from determinations of compliance with the supplement-not-supplant provision (§558(d) of

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*"Congress has explained that the purpose of the supplement-not-supplant provision is to prevent fiscal discrimination against Title I participants by ensuring that "children participating in Title I programs . . . receive their fair share of regular state and local funds." (S. Rep. 95-856, p. 15 (1978))

**Excess costs are defined as "Costs directly attributable to programs and projects which exceed the average per-pupil expenditure of a local educational agency in the most recent year for which satisfactory data are available for pupils in the grade or grades included in such programs or projects" (§126(b) of Title I).

***Hereafter referred to as Chapter 1, or ECIA.

ECIA; 47 Federal Register, July 29, 1982, pp. 32856, 32865, §200.62(b)).*

This report is concerned primarily with the effects of the supplement-not-supplant/excess costs provisions on district program design decisions and secondarily with possible program design issues under the supplement-not-supplant provisions of Chapter 1.** The term "program design," as used in this report, refers exclusively to types of program design models (e.g., inclass, pullout) and specific aspects of model use which may bear on the supplemental character of Title I instructional services.***

To accomplish these aims this report:

- Describes the types of program design models districts are using
- Examines why districts choose different models and assesses how the supplement-not-supplant and excess costs provisions affect these choices

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*In August 1982, Congress vetoed the final Chapter 1 regulations because of a dispute about the extent to which the General Education Provisions Act applies to Chapter 1. Since this dispute does not concern the portions of the Chapter 1 regulations cited in this report, references to the July 29, 1982 regulations have been retained with the understanding that a change in the effective date or even republication is possible.

**This report does not focus on other aspects of the supplement-not-supplant provision such as the "required by law" and "equitable distribution" provisions (46 Federal Register, January 19, 1981, pp. 5136, 5177-5185, §201.130-201.144) or earlier formulations of supplanting tests, e.g., the withdrawal of services test and the cancellation of previous commitment test (NIE, 1978, pp. 176-78).

***The report generally does not discuss such design factors as choice of subject (reading, math, etc.), grade levels of participants, type of staff (teacher, aide), and type of curriculum.

- Discusses possible program practices issues under the supplement-not-supplant provisions of Chapter 1

In addressing these issues, this report draws on data from the Title I District Practices Study conducted by Advanced Technology for the U.S. Department of Education [ED].* This study used three data collection strategies:

- A mail questionnaire sent to approximately 2,000 randomly selected local Title I Directors
- Structured interviews and document reviews in 100 representative Title I districts
- Indepth studies in 40 specially selected Title I districts**

Data from the District Practices Study describe current Title I program designs and the reasons for their selection by local program officials. In general, these data support four generalizations: (1) most districts use pullout designs for part or all of their programs, but use of inclass designs is increasing; (2) the relationship of Title I programs to regular classroom instruction--similarities or differences in materials, instructional approach, or subject missed when receiving Title I

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*Hereafter referred to as the District Practices Study or DPS. The study is limited to the Title I educationally disadvantaged and does not address the separate Title I programs for migrant, handicapped, or neglected and delinquent children.

**The Summary Report of the District Practices Study presents the study methodology and the rationale for this data collection approach in greater detail. However, it is worth noting here that matrix sampling was used for the mail questionnaire. This strategy, designed to reduce respondents' burden, broke the mail questionnaire into four parts and included some common core questions in all four parts.

services--varies considerably among districts; (3) local administrators choose their program approaches primarily because they believe them to be educationally superior for particular components of the Title I program, and only secondarily because of legal or compliance reasons; and (4) misconceptions about the supplement-not-supplant provision, found in the past, continue to exist and to affect program design choices.

This report describes the Title I legal framework and then examines the supplement-not-supplant provisions in Chapter 1. Next, DPS data describing program designs and the rationales for them are presented. The discussion includes the apparent effects of the supplement-not-supplant and excess costs provisions on such decisions and rationales. The report concludes with a summary, which also discusses possible implications of the findings.

THE TITLE I LEGAL FRAMEWORK

The basic supplement-not-supplant mandate now provides that Title I funds may be used "only so as to supplement and, to the extent practical, increase" the level of funds that otherwise would be made available from two sources: (1) regular non-Federal sources and (2) non-Federal sources for certain state and local compensatory education programs. Also "in no case may [Title I] funds be used to supplant such funds from non-Federal sources" (§126(c) of Title I). In addition, a limited exemption to the supplement-not-supplant requirement applies where certain

special programs for educationally deprived children are fully funded (§132 of Title I).

The excess costs requirement, enacted in 1974 and designed to reinforce the supplement-not-supplant concept, provides that Title I funds may be used only for the excess costs of Title I programs and projects. To increase coordination with state and local compensatory education programs, Title I also authorizes exclusion of certain state and local program funds from determinations of compliance with the excess costs provision (§131 of Title I).

The supplement-not-supplant and excess costs provisions are conceptually identical. A recent analysis explains:

> The excess costs provision is simply an extension or clarification of the supplanting provision. Title I funds are to be used to pay for supplementary services. Phrased differently, Title I funds can only be used to pay for the excess costs or supplementary aspects of a program. (Silverstein and Schember, 1977, p. 486)

In earlier years there was some uncertainty about what the supplement-not-supplant/excess costs provisions required of schools to ensure that Title I participants received extra services. When auditors from the U.S. Department of Health, Education, and Welfare cited school districts for inclass programs that also served non-Title I students (a "general aid" violation), some states and districts perceived the problem to be

"supplanting" and turned more to pullout models as the solution.* Consequently, though Title I never so stated, some program administrators believed pullout designs were legally required, or necessary to avoid audit problems; and some states refused to approve any inclass programs. Thus, "uncertainty or misconceptions about the meaning of certain requirements and the fear of possible audit violations" led some states to promulgate "overly restrictive policies concerning the types of programs Title I may fund" (NIE, 1978, p. 170).**

Ironically, more frequent use of pullout designs actually may have increased, not decreased, the number of supplement-not-supplant violations--particularly where students were pulled out for long periods and Title I instruction substituted for, instead

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*Even though the general aid provision and the supplement-not-supplant provision have been in the Title I legal framework for years, some district administrators still do not clearly understand the difference between the two. The prohibition against general aid means that Title I funds cannot be used to meet the general needs of all students, e.g., Title I funds should generally not be used for non-Title I students. The prohibition against supplanting, however, means generally that Title I participants cannot be discriminated against financially by being given less than their fair share of the state and local funds they would receive if Title I did not exist.

**DPS data indicate that some districts still perceive some state Title I regulations or policies to be more restrictive in certain respects than Federal Title I regulations. Seventeen percent of the 434 mail survey districts believed that some state Title I requirements were more restrictive than Federal ones. Of the 72 districts reporting this, 22 percent said state supplement-not-supplant requirements were more restrictive than Federal requirements.

of supplemented, state and locally funded instruction the students otherwise would have received. Supplement-not-supplant violations also may have occurred where Title I funds completely replaced state and locally funded instruction in a given subject and the district did not contribute any non-Federal funds to the Title I project. Such issues were not comprehensively addressed in earlier Title I regulations and "[f]ederal administration of the requirements guaranteeing the supplementary nature of the program [was] neither clear nor consistent" (NIE, 1978, p. 173). Consequently, many districts did not understand the implications of the supplement-not-supplant/excess costs provisions for designing instructional programs providing "extra," rather than substituted, services (Demarest, 1977; Silverstein and Schember, 1977; and Vanecko and Ames, 1980).

To solve such problems, Congress in the legislative history of the 1978 Amendments (1) discussed the lack of clarity and comprehensiveness in the supplanting regulations; (2) stated that Title I did not require a particular type of program design;*

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*The House Report emphasizes this point: "Title I should not be construed or require any particular instructional strategy. OE should develop regulations which inform program administrators how to design 'inclass' as well as 'pullout' programs." (H.R. Rep. 95-1137, 1978, pp. 26-27.) Congress merely reaffirmed its consistent policy in this regard in 1978. The legislative history of the original 1965 legislation made the same point: "such matters are left to the discretion and judgment of the local educational agencies" (S. Rep. 89-146, reprinted in U.S. Code and Cong. Admin. News (1965), p. 1,454). Congress echoed this sentiment in the legislative history of the Education Amendments of 1970. (S. Rep. 91-634, reprinted in U.S. Code and Cong. Admin. News (1970) p. 2,772.)

and (3) directed that new Title I regulations contain "legal nonsupplanting models and include examples explaining how the general principles apply to day-to-day situations" (H.R. Rep. 95-1137, 1978, p. 29).

In the "final" regulations of January 1981, the supplement-not-supplant principles were reflected in program design models classified under "Excess Costs: Instructional Services" (46 Federal Register, pp. 5136, 5146, §200.94). These regulations described six categories of excess costs models and, where appropriate, specified the circumstances under which districts had to contribute state or locally funded instructional time to the Title I project so that participants would get supplemental not substituted services (See Appendix A).*

In January 1981 the Department of Education suspended the "final" Title I regulations and later decreed that the excess costs regulations were guidelines which could be followed rather

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*46 Federal Register, January 19, 1981, pp. 5136, 5146, §200.94. The six categories of excess costs models in these regulations were (1) inclass, (2) limited pullout, (3) extended pullout, (4) replacement, (5) add on, and (6) other.

than regulations which must be followed (46 Federal Register, March 27, 1981, p. 18976).*

THE CHAPTER 1 LEGAL FRAMEWORK

In July 1981 Congress took the next step. Leaving intact the basic supplement-not-supplant provision (§558(b) of ECIA), Congress repealed the excess costs provision and added a new provision stating that pullout projects cannot be required to prove compliance with the supplement-not-supplant requirements

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*An interesting feature of the pullout and replacement models is that in two situations they could actually allow some supplanting. First, the limited pullout model provides that a contribution to the Title I project of state and locally funded instructional time is not required if the amount of time a student is pulled out is less than 25 percent of the instructional time the student would receive from a given teacher paid with non-Title I funds. Second, after the excess costs regulations became guidelines and were amended, districts using extended pullout or replacement models were allowed to disregard a fraction of a full-time equivalent [FTE] staff member when calculating how much state and locally funded instructional time would have to be contributed to a Title I project. For example, if computation showed that a district would have to contribute 3.9 FTE staff members to a Title I project, the district could disregard the .9 FTE and provide only 3.0. Where either of these features of the limited pullout and replacement models is used, the result is that some Title I funds provide substituted, rather than supplemental, services. Thus, these features may provide some districts, which might otherwise not use a pullout or replacement model, with an incentive to do so. Of interest, this apparent incentive was created at a time when pullout designs were perceived to be overused, and the Federal Government was seeking to assure states and districts that use of this approach was not necessary.

(§558(c) of ECIA; 47 Federal Register, July 29, 1982, pp. 32856, 32865, §200.62(c)).*

Congress also changed the supplement-not-supplant requirement with respect to state and local compensatory education program funds. Chapter 1, ECIA, has a broad provision allowing districts to exclude certain "special state and local program funds" from determinations of compliance with the basic supplement-not-supplant mandate (§558(d) of ECIA). The excludable funds are described in very general terms:

> A local educational agency may exclude State and local funds expended for carrying out special programs to meet the educational needs of educationally deprived children if such programs are consistent with the purpose of this Chapter (§558(d) of Chapter 1; 47 Federal Register, July 29, 1982, pp. 32856, 32865, §200.62).

The U.S. Department of Education has explained the significance of this exclusion provision in a recent draft, "non-regulatory guidance" document which "does not impose any

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*Even though Title I has never required the use of a pullout approach to prove compliance with the supplement-not-supplant provision, and even though Congress has previously attempted to clarify this point, apparent misconceptions still exist about what Title I requires. A 1982 manual on ECIA published by the National School Board Association [NSBA] clearly suggests an erroneous belief that Title I requires pullouts to prove compliance with the supplement-not-supplant provision. With reference to the supplement-not-supplant provision in Chapter 1, the NSBA manual says, "As evidence of compliance with the supplement-not-supplant provision, school boards no longer need to operate programs outside the regular classroom" (NSBA, 1982, p. 14, emphasis added).

requirements beyond those contained in the Chapter 1 statute and regulations." The document describes the exclusion as "a major change in the previous supplement-not-supplant requirement."* It also says, with respect to allocating state and local funds for special programs to meet the educational needs of educationally deprived children:

> Under Chapter 1, SEAs and LEAs are no longer required to provide children participating in a Chapter 1 project with an equitable share of state and locally funded services that qualify for an exclusion.**

The draft nonregulatory guidance document also includes "some examples of instructional services that comply with the Chapter 1 supplement-not-supplant requirement" (pp. 22-23). These examples are basically the same as the excess costs models that now appear in Title I guidelines (inclass, limited pullout, extended pullout, add on, and replacement). The draft document indicates that, despite repeal of the excess costs provision, ED has not changed its interpretation of how the supplement-not-supplant provision applies to the design of instructional programs.

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*Draft nonregulatory guidance document, p. 22.

**The practical effect of this provision, which legislatively overrides the Federal court decision in Alexander v. Califano, 432 F. Supp. 1182 (1977), is to allow districts the option of using certain compensatory education funds only in school attendance areas not receiving assistance under Title I. Except for a very limited "fully funded" situation (§132 of Title I), this practice was not authorized prior to Chapter 1. The previous theory was that allocating state and local compenstory education funds only to non-Title I school attendance areas would mean that Title I attendance areas would not receive their fair share of state and local compensatory education funds.

FINDINGS

In its 1977 Report to Congress on compensatory education services, the National Institute of Education discussed concerns about the design of compensatory instruction:

> One of the controversial issues in the delivery of compensatory instruction has been the question of whether to provide special instruction inside or outside the student's regular classroom. Pullout programs guarantee that compensatory students receive an identifiable program. On the other hand, there is concern that their use might lead to tracking compensatory students for both regular and remedial instruction. (NIE, 1978, p. 21)

Based on survey results, NIE reported:

- 74.5 percent of the students taking compensatory education reading received instruction in a pullout program.
- 44.7 percent of the students taking compensatory education math received instruction in a pullout program.
- 40.5 percent of the students taking compensatory education language arts received instruction in a pullout program (1978, p. 21).

The District Practices Study's focus on program design differs somewhat from that of NIE*. Since the District Practices Study is not a study of student achievement or instructional

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*Data from the March 1982 Title I evaluation report to Congress suggest that the use of pullout and lab settings for reading, math, and language arts has increased since the NIE study (see Appendix B).

effectiveness,* we examined current program design practices and the rationale for them as well as the interaction between program design and the supplement-not-supplant/excess costs provisions.

In general, we found (1) although most districts use pullout designs for all or part of their program, the use of inclass designs is increasing; (2) there is considerable variation among districts in the relationship of Title I programs to regular classroom instruction; (3) the primary reason given for the choice of program design (pullout vs. inclass) is a belief in the educational superiority of a given design for part or all of a local program; and (4) past misconceptions about the supplement-not-supplant provision still exist and affect program design decisions in some districts.

Current Practices: Pullout vs. Inclass Designs

The pullout design is by far the most frequently used Title I model. Ninety-two percent of the districts surveyed by mail and 96 percent of the Title I Directors interviewed on-site (100 Directors) report using a pullout design for all or part of their Title I programs. In contrast, only 30 percent of the mail survey districts (but 46 percent of the 100 Title I Directors

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*Research findings vary concerning the instructional effectiveness of pullouts and inclass designs. Congress adopted a "policy of neutrality" with respect to this issue and said its policy was "supported by NIE's research which did not show one setting was considerably more effective than another" (H.R. Rep. 95-1137, pp. 26-27 (1978)).

interviewed on-site) report using an inclass approach for part or all of their program.*

These findings do not vary significantly by district size.** Similarly, the size of a district's Title I budget is not correlated with the use of pullout designs. All categories of districts (by size of their Title I budgets) use pullout designs to the same extent.

The use of inclass designs, however, is significantly correlated with district size. When the 30 percent of the mail questionnaire districts that use the inclass design are broken down by district size, very large districts (79 percent) and large districts (47 percent) are far more likely to employ the inclass model for part or all of their program than small districts (28 percent) and medium districts (32 percent).

The use of inclass designs is increasing. Of the mail survey districts employing this approach, 32 percent increased

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*Both the districts surveyed by mail and the Title I Directors interviewed on-site were from representative samples. The difference in reported incidence of inclass designs may be attributable to a larger margin of error associated with the small sample of Title I Directors interviewed. National estimates from the mail survey yield a greater degree of confidence because the mail survey was based on a much larger sample.

**District size breakdowns for the mail survey sample are as follows:

Small - fewer than 2,500 students
Medium - 2,500-9,999 students
Large - 10,000-49,999 students
Very Large - 50,000+

its use over the last three years. Only 10 percent decreased their use of inclass designs. Mail survey districts report no comparable net change for pullout designs (10 percent indicate an increase, while an equal percentage report a decrease).

Figure 1 presents (by district size) the reasons given by mail questionnaire respondents for decreasing their use of pullouts from 1978 to 1981. The most frequent reason (74 percent) given by districts of all sizes is "teachers' or Principals' recommendations." The second most frequent reason (51 percent) for all districts is "informal assessment of program performance." As Figure 1 indicates, the reasons given for decreasing use of pullout (change of 10 percent or more) do not vary significantly by district size.

Similarly, Figure 2 displays (by district size) reasons given by those mail questionnaire respondents who increased use of the pullout design from 1978-81. Of those increasing the use of pullout, there are no significant differences among small, medium, and large districts for each of 10 possible reasons cited. (The respondents in the very large category are too few to assign significance to the data.) For the total group of districts increasing the use of pullouts, teachers' or Principals' recommendations are again the reason most frequently cited (72 percent). Results of Title I evaluations are also an important reason for increasing pullout use (63 percent), but a less important reason (43 percent) for decreasing pullout use, as Figures 1 and 2 indicate.

(N = 184 Districts)

Very Important and/or Somewhat Important Reasons for Decreasing Use of Pullout Design from 1978-81	Percent of Small	Percent of Medium	Percent of Large	Percent of Very Large*	Percent of Total
Changes in Title I funding level	13	15	10	2	38
Demographic changes	4	4	2	0	10
New state mandates or emphasis	9	14	7	1	30
Results of formal Title I program evaluations	15	16	11	2	43
Data from formal needs surveys	14	17	12	1	43
Teachers' or Principals' recommendations	26	25	19	4	74
Parents' recommendations	15	17	11	1	45
New district mandates or educational philosophy	14	15	14	3	46
Changes in other local programs	11	9	8	2	30
Informal assessments of program performance	18	18	12	2	51

*The number of very large districts responding to this question is very small. Thus, results in this category should be regarded with caution.

FIGURE 1

PERCENT OF DISTRICTS INDICATING VERY IMPORTANT AND/OR SOMEWHAT IMPORTANT REASONS FOR DECREASING USE OF PULLOUT DESIGN FROM 1978-81

(N = 165 Districts)

Very Important and/or Somewhat Important Reasons for Increasing Use of Pullout Design from 1978-81	Percent of Small	Percent of Medium	Percent of Large	Percent of Very Large*	Percent of Total
Changes in Title I funding level	27	19	10	0	56
Demographic changes	9	7	5	0	21
New state mandates or emphasis	20	10	10	0	40
Results of formal Title I program evaluations	27	21	15	0	63
Data from formal needs surveys	24	18	14	0	56
Teachers' or Principals' recommendations	32	21	19	0	72
Parents' recommendations	26	18	13	0	57
New district mandates or educational philosophy	17	14	10	0	41
Changes in other local programs	12	10	10	0	31
Informal assessments of program performance	27	17	15	0	59

*No very large districts in our certainty sample of 30 of the largest districts in the nation indicated a change of 10 percent or more of the use of pullout.

FIGURE 2

PERCENT OF DISTRICTS BY SIZE INDICATING VERY IMPORTANT AND/OR SOMEWHAT IMPORTANT REASONS FOR INCREASING USE OF PULLOUT DESIGN FROM 1978-81

Case study data from the DPS illustrate the variety of inclass/pullout combinations districts use. Of 18 districts for which data were obtained, all use the pullout approach, and 11 also use inclass designs. Of the seven not using an inclass approach, however, three make extensive use of the replacement model, which, like the inclass design, provides in one classroom all services a Title I student receives in a given subject. The majority of case study districts combined only two approaches--an inclass design and one pullout model--but two districts report simultaneous use (in separate program components) of four different designs: a replacement model, an extended pullout design, a limited pullout design, and an inclass approach.*

The Relationship of Title I Programs to Regular Classroom Instruction

Data from the 100 districts site visited indicate considerable variety in the relationship of Title I programs to regular classroom instruction. According to 48 percent of the Title I teachers and 44 percent of the regular classroom teachers, Title I instructional materials are different from those used in the regular program. Eleven percent of the Title I instructors and 12 percent of the classroom teachers agree that Title I services involve more "hands-on" activities, such as games, than the regular program. In contrast, 22 percent of the regular teachers say that the only difference between Title I and the regular program

*Some districts, particularly smaller ones in the representative site visit sample, were not familiar with the different excess costs models promulgated in the January 1981 "final" regulations.

is that Title I instruction goes slower and is more basic. Fifteen percent state that the Title I program uses the same approach or methodology as the regular program. Twenty-four percent report that Title I focuses on the same skills as the regular program but is more supplemental.

An issue of considerable concern in districts using a pull-out approach is the subject matter missed when Title I services are provided. Officials in seven case study districts stress that when using a pullout design they do not allow students to miss regular program instruction in the same subject as that taught in the Title I program. The opposing approach is taken by another district, which reasons that since the Title I program teaches reading, students should not be pulled out of math.

Other districts have different approaches. One case study district allows Title I pullout students to miss regular instruction in any subject area as long as they do not consistently miss instruction in any one subject. The nine other case study districts have no policy on this issue.

Representative site interviews of Principals confirm these data. Approximately three-fifths of the Principals, 58 percent, report having a policy on the kinds of regular instruction students could or could not miss when receiving Title I services. Of those having a policy, 40 percent report students cannot miss reading, 22 percent report students cannot miss math, 12 percent report students cannot miss physical education, while 16 percent report students cannot miss instruction in any basic subject.

Six percent report students must miss a subject not offered by Title I.

Reasons for Program Design Choices

The variety in program design is accompanied by variety in the reasoning behind district choices. Of the mail questionnaire districts using the pullout design for all or part of their programs (92 percent of those surveyed), 81 percent state that a very important or somewhat important reason for their using this approach is certainty that "the pullout design is educationally superior for part or all of our program." But mail survey districts using the inclass design are equally emphatic.* Seventy-five percent state that a reason for using this approach is that "the inclass design is educationally superior for all or part of our program."**

Figure 3, which shows reasons for use of a pullout design indicates that small districts (36 percent) are twice as likely

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*Given the "part or all" wording of the questions, the findings do not necessarily reflect clashing views among districts or an endorsement of the pullout approach for all purposes. The same district, for example, either might believe an inclass design to be superior for one part of the program and a pullout approach superior for another.

**Representative site visit interviews of Title I Directors yield similar results. Ninety-six out of 100 Directors report using the pullout approach; and, when asked their reasons, 36 percent cite educational effectiveness, 20 percent cite improvement of the pupil-teacher ratio, while 10 percent state this approach causes less disruption. Of the Title I Directors reporting use of the inclass approach (46 percent of all Directors interviewed), 26 percent state it is more effective, 17 percent state the inclass design is less disruptive, and an equal percent add that this approach makes better use of aides.

(N = 1,522 Districts)

Very Important and/or Somewhat Important Reasons for Use of Pullout Design	Percent of Small	Percent of Medium	Percent of Large	Percent of Very Large	Percent of Total
State Title I office has advised the use of this design	20	16	8	1	45
A pullout design can make it easier to demonstrate compliance with fund allocation requirements	26	22	19	1	61
Although a different design might work as well, it would not be worth the disruption of changing	14	18	4	1	32
We are sure the pullout design is educationally superior for part or all of our program	36	35	15	1	81

FIGURE 3

PERCENT OF DISTRICTS BY SIZE INDICATING VERY IMPORTANT AND/OR SOMEWHAT IMPORTANT REASONS FOR USING PULLOUT DESIGN

as large districts (15 percent) to give educational superiority for part or all of their program as a "very important" or "somewhat important" reason for using a pullout design. With respect to reasons for the use of an inclass design, the difference between small districts (28 percent) and large districts (19 percent) reporting the same "educational superiority" rationale is less striking, as indicated by Figure 4.

Teachers and local administrators hold strong views on this subject, not just in favor of their own designs but against other approaches. For example, a memorandum prepared by Title I administrators in a district which favors inclass designs is highly critical of the pullout approach:

> [T]here is documentation, both nationally and locally, critical of the typical pullout method. The pullout method reduces time on task for those students who need it the most. It disrupts classroom activities and causes excessive hallway movement that may negatively affect the learning climate in the school. Pullouts can fragment instructional approaches so that these approaches are confusing and counterproductive.

Teachers and administrators in a case study district which prefers the extended pullout approach or replacement model are also critical of the limited pullout design. Many of the regular classroom teachers state they want full responsibility for their students, they do not know what the children are doing in the Title I class, and the pullout model subjects the Title I students to conflicts between the philosophies of Title I and the regular teachers.

(N = 592 Districts)

Very Important and/or Somewhat Important Reasons for Use of Inclass Design	Percent of Small	Percent of Medium	Percent of Large	Percent of Very Large*	Percent of Total
State Title I office has advised the use of this design	12	8	7	0	28
Physical facilities for pullouts are not available	13	15	12	2	42
Although a different design might work as well, it would not be worth the disruption of changing	7	8	5	1	21
We are sure the inclass design is educationally superior for part or all of our program	28	25	19	3	75

*The number of very large districts responding to this item is very small. Therefore, results in the category should be regarded with caution.

FIGURE 4

PERCENT OF DISTRICTS BY SIZE INDICATING VERY IMPORTANT AND/OR SOMEWHAT IMPORTANT REASONS FOR USING INCLASS DESIGN

One regular program teacher in this district adds that since Title I children are low achievers they are "the ones that most need structure"--yet the pullout model does away with a stable structure. A Principal in this district claims that the extended pullout and replacement models resulted in improved attendance and student self-concept. A teacher in this district who had experience with limited pullout, extended pullout, and replacement models states she sees the "least improvement in Title I children at the pullout schools," while another teacher note that students in the extended pullout or replacement model programs "get more involved and participate more" compared to students in the inclass programs "who tend to get lost in the shuffle in the larger regular classes."

On the other hand, staff in other districts note educational advantages of the limited pullout approach: it facilitates use of special materials, computer-assisted instruction, and intensive small group instruction by highly trained specialists and teachers. Teachers in other districts criticize the inclass design, stating that two adults in the same classroom, a common inclass approach, is distracting to students and results in classroom discipline and management problems.

While educational effectiveness appears to be the Principal, and most controversial, factor motivating program design decisions, it is not the only consideration. Sixty-one percent of the mail questionnaire districts use the pullout design because it "can make it easier to demonstrate compliance with funds

allocation requirements.' Districts cite this reason second most frequently. As Figure 3 indicates, there is little variation by district size for this reason except that small districts (26 percent) give this reason slightly more frequently than large districts (19 percent). Districts that gave this "compliance with funds allocation" reason for use of a pullout design for part or all of their programs could have been concerned with compliance with the general aid prohibition or the supplement-not-supplant provision or even both. Such distinctions aside, it is clear that over three-fifths of the districts surveyed report that part of the motivation for use of the pullout design is concern for compliance with Title I funds allocation requirements.

In the site-visit districts using the pullout design, one-third of the Title I Directors state that a reason for choosing this approach is because it is easier to administer. Also, while 11 percent cite past compliance problems, 10 percent mention a concern about the supplement-not-supplant provision as a reason for using the pullout design.

CONTINUING MISCONCEPTIONS ABOUT THE SUPPLEMENT-NOT-SUPPLANT PROVISION

Data from the District Practices Study support two other generalizations about the supplement-not-supplant provision: (1) difficulty in complying with the supplement-not-supplant requirement is widespread and (2) one cause of this problem seems to be a continuing misconception of the requirement.

Twenty-eight percent of the 100 Title I Directors interviewed on-site say they have problems with different aspects of the supplement-not-supplant requirement. Many of these problems emerged in the Title I application process. Fifteen percent of the 434 districts responding to a mail survey question report that state staff reviewing their applications objected to program plans because of possible violations of state or Federal regulations. Of the 67 districts indicating such state objections, a fifth (20 percent) report that the state staff raised questions regarding the supplanting prohibition (Figure 5).

Another problem is designing supplementary programs for secondary schools. One-third of the 100 Title I Directors interviewed state that in designing Title I projects for secondary school students, the problems are different from those involved in designing elementary programs. Of those perceiving this difference, approximately one-half, (54 percent) stated that scheduling is more difficult at the secondary level, but 14 percent refer to the supplanting prohibition or the excess costs requirement. Forty-two percent of the Directors interviewed who reported problems in designing secondary school projects say they have difficulty "determining what is supplement-not-supplant or excess costs."

These problems apparently make some districts reluctant to change previously approved program designs. Districts report this hesitancy stems in part from uncertain understanding of the law. More than one-fourth (28 percent) of the 440 districts

(N = 67 Districts)

PROGRAM	PERCENT
Parent Involvement	28
Needs Assessment	23
Eligibility and Selection of Children in Greatest Need	24
Program Management and Budgeting	23
Supplement-not-Supplant	20
Attendance Area Eligibility and Targeting	11
Preparation of District Application	15
Program Design	10
Evaluation	7
Comparability	6
Coordination with other Federal/State Education Programs	1
Nonpublic Participation	4
Other	8

*Percentages do not total 100 percent, since respondents could give more than one response.

FIGURE 5

PERCENT OF DISTRICTS IDENTIFYING PROGRAM AREAS IN WHICH STATE APPLICATION REVIEW RAISED QUESTIONS ABOUT POSSIBLE VIOLATIONS OF STATE OR FEDERAL REGULATIONS

responding to a mail survey question report their desire to change features of their Title I program. Of those 118 districts desiring to make a change, 36 percent state the desired change concerns program design models (pullout vs. inclass). Over a third (36 percent) of the districts desiring, but declining, to make one or more changes say they are "not sure whether the program would still be in compliance if the change(s) were made," and that this uncertainty is a "very important" or "somewhat important" reason for their reluctance.

Data from the case studies provide additional insights into possible causes of supplanting problems. Of all the district Title I applications reviewed during these case studies,* none offer sufficient information to determine whether the contemplated program design would comply with the supplement-not-supplant provision. The deficiency is the same in each application--no indication of the intensity of regular program services to be received by Title I participants, as compared to the educational program of non-Title I participants.** Without this information it is impossible to determine whether Title I students would receive their fair share of services funded by state or local revenues.

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*Applications covering school years 1978-79 through 1981-82 were reviewed from 18 case study districts in over a dozen states.

**Applications did contain assurances that the district would comply with the supplement-not-supplant provision.

Whether this deficiency in Title I program applications is insignificant* or indicates widespread misunderstanding of the supplanting prohibition's impact on program design remains unclear; but other evidence bears on this question. During on-site interviews of Title I Directors, questions were asked about supplanting and excess costs problems. Virtually no Directors interviewed describe a supplanting problem as a failure to provide Title I students their fair share of state or locally funded services. Over a third of the Directors interviewed perceive supplanting as a problem involving use of Title I funds for ineligible students (a general aid problem, not a supplanting violation).

One Title I Director, for example, discussing a past "supplanting" problem in his district (teachers paid by Title I who instructed non-Title I students) says he solved the problem by switching the program from an inclass to a pullout design. Similarly, another Title I Director made the mistake of thinking his district "avoided all supplanting problems by making sure only Title I students received Title I services."

This confusion of general aid violations with supplanting problems does not in itself establish that many school districts

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*The absence of such information in the applications reviewed may be related to the fact the regulations containing the excess costs models were only published in January 1981, suspended shortly after publication, and changed to guidelines in late March 1981. Most of the data collection for the study was done in the fall of 1981 and the application forms reviewed were probably developed prior to publication of these excess costs models as guidelines.

misunderstand the true implications of supplement-not-supplant for design of Title I programs*; but two notable exceptions among the Title I Directors interviewed may confirm just such a hypothesis.

One Title I Director in a large urban district showed DPS staff an accurate and insightful memorandum prepared on the implications of the supplanting requirement for Title I program design. He said the memorandum was written after lengthy reflection and detailed conversations with ED officials. The memorandum contains a description of several alternatives to the pullout approach.**

Another Title I Director reports a similar experience. After many hours of analyzing the excess costs models set forth in ED Title I guide.. es, this Director applied the pertinent principles to the fiscal circumstances of his district and developed a detailed resource distribution formula to ensure that each Title I student would receive a fair share of state and local services.

This district even developed a narrative explanation (including diagrams) showing how it uses the excess costs principles

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*Mail questionnaire data indicate that 28 percent of 278 districts responding to a question say they had, during the last three years, received technical assistance from the state regarding the supplement-not-supplant provision. Further, 78 percent of 416 districts responding to a question report that supplement-not-supplant compliance was examined by state monitors during their last on-site visit to the district.

**Appendix C contains excerpts from this description which has been edited to protect the identity of the district.

to develop a Title I replacement project. This project involves redesigning and restructuring the math and reading program at the elementary level to achieve a reduced pupil/teacher ratio for Title I students. Thus, Title I participants in reading had an 7/1 pupil/teacher ratio (as opposed to a 28/1 ratio in non-Title I reading) and Title I participants in math have a 4/1 pupil teacher ratio as opposed to a 32/1 ratio in non-Title I math).* The reduced pupil/teacher ratio is made possible by contributing state and locally funded instructional time to the Title I reading and math classes. District Practices Study staff found no comparable documents in other districts, and both of these exceptional Directors stated their work led them to a new understanding of the meaning of the excess costs and supplement-not-supplant provisions for the design of Title I programs.

SUMMARY AND IMPLICATIONS

Findings from the study indicate that interaction between program design practices and the supplement-not-supplant provision is still lively. In summary:

- Some districts still believe that some state regulations and policies regarding program design and supplement-not-supplant are more restrictive than the Federal regulations.
- Most districts surveyed (92 percent) use a pullout design for part or all of their Title I program, and this use does not vary by district size.

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*Appendix D contains excerpts from this narrative explanation which has been edited to protect the identify of the district.

- About a third of the districts surveyed (30 percent) use an inclass model for part or all of their programs, and use of inclass designs is increasing. Very large districts (79 percent) use the inclass approach for part or all of their programs significantly more than small districts (28 percent).

- A belief in the educational superiority of a program design for part or all of a district's program is the most frequent reason given for use of the pullout design (81 percent) and/or the inclass design (75 percent).

- Compliance with Title I's funds allocation provisions is the second most frequent reason (61 percent) given by districts for use of the pullout design, and the third most frequent reason (45 percent) is "state Title I office has advised use of this design."

- Past misconceptions about the supplement-not-supplant provision still exist and affect program design practices.

- An analysis of three years of Title I applications from 18 districts in over a dozen states shows district applications do not contain information demonstrating that Title I children would receive their fair share of state and locally funded instructional time.

The precise implications of these findings for supplement-not-supplant/program design issues under Chapter 1 are not clear because several related factors may influence future district practices in this regard. First, the Chapter 1 provision saying pullouts cannot be required to prove compliance with the supplement-not-supplant mandate may cause some districts to reexamine the extent of their use of the pullout design. Second, reduced appropriations for Title I/Chapter 1 may mean that increased use of the inclass design will become more appealing to more districts. Third, dissemination of the supplement-not-supplant/program design concepts and models in the 1981 Title I guidelines

and the 1982 Chapter 1 nonregulatory guidance may help improve district understanding of how to design programs that provide supplemental, rather than substituted, services. Fourth, implementation of new legislative changes frequently proceed slowly in many districts; the cumulative impact of the changes in Chapter 1 and the fiscal situation may eventually cause some districts to make some program design changes.

If misconceptions or uncertainty continues about the impact of the supplanting provision on program design, and if careful analysis of ED "nonregulatory guidance" can eliminate such misunderstandings, then the incidence of supplanting problems under ECIA may depend on the extent to which local officials utilize the program design models for ED's "nonregulatory guidance," or otherwise receive technical assistance concerning the design of supplemental programs.

Federal compensatory education policy requires that educationally deprived children will receive supplemental services under Title I/Chapter 1. Continuing inquiry into implementation of this policy, particularly with respect to designing projects to provide supplemental rather than substituted services, would yield additional information about the interaction of the supplement-not-supplant/program design provisions under Chapter 1.

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APPENDIX A

TITLE I EXCESS COSTS MODELS APPLYING THE SUPPLEMENT-NOT-SUPPLANT CONCEPT TO PROGRAM DESIGN

APPENDIX A

TITLE I EXCESS COSTS MODELS APPLYING THE SUPPLEMENT-NOT-SUPPLANT CONCEPT TO PROGRAM DESIGN*

Type of Model	Primary Characteristics of Model	Contribution of State/ Locally Funded Instructional Time Required
Inclass	Instructional services are provided to participating children in the same classroom setting and at the same time in which they would receive instructional services if they were not participating in Title I.	None.
Limited Pullout	Instructional services are provided to participating children in a different setting or at a different time than would be the case if those children were not participating in the Title I project; and services are provided for a period that does not exceed 25 percent of the time--computed on a per-day, per-month, or per-year basis--that a participating child would, in the absence of Title I funds, spend receiving from a particular teacher of required or elective subjects who is paid with non-Title I funds.	None if the Title I services are provided with pullout for a period less than 25 percent of the instructional time that a participant would receive from the teacher paid with non-Title I funds.
Extended pullout	Title I services are provided to participating children in a different classroom setting or at a different time than would be the case if those children were not participating in the Title I project; and Title I services are provided for a period that exceeds 25 percent of the time--computed on a per-day, per-month, or per-year basis--that a participating child would, in the absence of Title I funds, spend receiving from a particular teacher of required or elective subjects who is paid with non-Title I funds.	Contribution required if Title I services provided with pullout for period that exceeds 25 percent of the instructional time that a participant would receive from particular teacher who is paid with non-Title I funds. However, when computing the

*Source: 46 Federal Register, January 19, 1981, pp. 5136, 5416, §200.94; 46 Federal Register, March 27, 1981, pp. 18976, 18977, §200.93 and 200.94.

APPENDIX A (cont.)

Type of Model	Primary Characteristics of Model	Contribution of State/ Locally Funded Instructional Time Required
		contribution, districts can disregard a fraction of an FTE staff member and still be in compliance.
Replacement	Title I services are provided to participating children in a different classroom setting or at a different time than would be the case if these children were not participating in the Title I projects; and Title I provides services which replace all or part of the course of instruction regularly provided to Title I participants with a distinct, self-contained Title I program particularly designed to meet participants' special educational needs.	Contribution required if Title I project provides services which replace all or part of the course of instruction regularly provided to Title I participants with a distinct self-contained Title I program particularly designed to meet participants' special educational needs. However, when computing the contribution, districts can disregard a fraction of an FTE staff member and still be in compliance.
Add on	Provided at a time in which participants would not otherwise be receiving non-Title I funded instructional services, including periods such as vacations, weekends, before or after regular school hours, or during noninstructional time.	None.
Other	Undefined, but the district must maintain records demonstrating that the average per-pupil costs directly attributable to its Title I project exceed the agency's per-pupil expenditure, by grade levels, for all pupils in the grades included in the agency's Title I project.	Contribution if necessary to ensure Title I pays excess costs and participants get their fair share of state and local funds.

APPENDIX B

EXCERPT FROM U.S. DEPARTMENT OF EDUCATION REPORT TO CONGRESS

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EXCERPT FROM U.S. DEPARTMENT OF EDUCATION REPORT TO CONGRESS
AN EVALUATION OF ESEA TITLE I--PROGRAM OPERATIONS
AND EDUCATIONAL EFFECTS p. III-20 (March 1982)

PERCENT OF STUDENTS IN DIFFERENT TYPES OF PROJECT SETTINGS

Subject	Grade	Project Setting						
		Regular Class	Pullout	Lab	Regular Class & Pullout	Regular Class & Lab	Pullout & Lab	Other
Reading	2	12%	69%	3%	8%	3%	3%	2%
	6	13%	62%	7%	8%	3%	5%	2%
	10	30%	41%	7%	5%	6%	3%	9%
Math	2	19%	53%	4%	10%	4%	2%	8%
	6	14%	58%	7%	8%	5%	2%	6%
	10	23%	42%	3%	12%	5%	3%	12%
Language Arts	2	40%	51%	1%	3%	1%	3%	1%
	6	35%	49%	7%	6%	2%	1%	1%
	10	26%	38%	2%	12%	2%	0%	19%

APPENDIX C

EDITED EXCERPT FROM A SCHOOL DISTRICT'S 1981 POLICY MEMORANDUM DISCUSSING ALTERNATIVES TO THE PULLOUT APPROACH

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EDITED EXCERPT FROM A SCHOOL DISTRICT'S
1981 POLICY MEMORANDUM DISCUSSING
ALTERNATIVES TO THE PULLOUT APPROACH

Title I Program narratives must detail the efforts which will be taken to avoid fragmentary pullout situations.

Although pullout programs will not be prohibited, we will require a description of the remedial process, i.e., mode of instruction, as well as the means which will be used to avoid fragmentation. Historically, rigid interpretation of Federal legislation and regulations in the area of Title I have led school districts to rely primarily on pullout remedial programs in order to demonstrate compliance with the supplement-not-supplant requirements. However, there is documentation, both nationally and locally, critical of the typical pullout method. The pullout method reduces time on task for those students who need it the most. It disrupts the classroom activities and causes excessive hallway movement that may negatively affect the learning climate in the school. Pullouts can fragment instructional approaches so that these approaches are confusing and counterproductive.

Despite this evidence, some still prefer to implement pullout programs. Clearly however, the national, state, and city history of encouraging pullouts is over. Obviously, the question facing schools is how to avoid pullouts and still stay within the letter and spirit of Title I legal requirements.

There have been extensive discussions on this issue. As a result, we have produced some alternative models to the traditional pullout. Some of these models may be startingly simple; others may have been thought illegal. All, however, are permissible. Your narrative Title I update may simply name the kind of remedial mode or process you plan to use if it is described in the following section. Other types of organization using legal pullouts will require additional documentation.

Remedial Modes/Procedures--Alternatives to Pullout Approaches

A. After School Program: Title I children receive Title I remediation after the basic school day ends.

B. Whole Class Pullout to Lab: Title I and non-Title I children, accompanied by their regular teacher, move to a remedial lab. In this room, services are provided to Title I children by Title I and regular staff. Non-Title I

children may obviously be involved in whole class instruction provided by all staff members, but specific individual or small group work with non-Title I children must be performed by regular staff. Regular teacher involvement is the key to the success of this model.

C. Travelling Lab or Itinerant Title I Teacher: Classrooms with Title I and non-Title I children are visited by Title I teachers and paraprofessionals, where available. A lab cart with special material may be used. Small group or individual student work with non-Title I children must be performed by regular staff while Title I and regular staff work with Title I students. The regular teacher must, therefore, be present and active with both Title I and non-Title I students during these sessions.

D. Title I Teacher and/or Para in the Regular Classroom: A regular teacher may have Title I teachers or paraprofessionals assigned to the class. It is perfectly legal for these Title I staff members to work with the larger group of non-Title I children while the regular classroom teacher gives specific small group remedial attention to Title I students. This is legal because it enables the targeting of highly qualified, and especially intensive pedagogical services to the students in greatest need.

Reporting plans to use a remedial process described above may be done indicating the title of the model on the narrative updates. Other nonpullout models should be fully described in the narrative.*

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*In an attempt to discourage use of the pullout approach, this district imposed the following requirements for documentation in connection with the pullout.

If an approach where a Title I teacher takes part of a classroom population out of the homeroom is to be used, the following information must be provided as part of the narrative update.

A. A description of joint-training and articulation time and activities between classroom and Title I staff. Time should be set aside for articulation at least once a week on an ongoing basis.

B. Samples of individual student folders with daily update forms that will be completed and shared by both regular and Title I staff.

C. Samples of weekly and monthly record updates showing individual student progress and mastery points.

APPENDIX D

EDITED EXCERPT FROM A SCHOOL DISTRICTS'S (1981) MEMORANDUM EXPLAINING ITS ELEMENTARY LEVEL EXCESS COSTS READING AND MATH PROGRAMS

APPENDIX D

EDITED EXCERPT FROM A SCHOOL DISTRICT'S 1981 MEMORANDUM EXPLAINING ITS ELEMENTARY LEVEL EXCESS COSTS READING AND MATH PROGRAMS, WHICH INVOLVE RESTRUCTURING CLASSES TO ACHIEVE A LOWER PUPIL/TEACHER RATIO FOR TITLE I PARTICIPANTS

EXCESS COSTS PROGRAMS

(January 1981)

"Excess costs" is the term applied to the costs directly attributed to Title I projects which are over and above the local educational agency's [LEA] average per-pupil expenditure.

In the past, LEAs that receive Title I assistance have met the basic requirement of "excess costs" by utilizing Title I funds to supplement the regular instructional program. Clarification of Title I guidelines at the Federal level have made it possible now to meet the "excess costs" standard in another manner.

In an effort to provide more flexibility in Title I instructional programs (elimination of pullout), the excess costs provisions have been substantially revised to allow LEAs to use instructional time rather than expenditures as a basis for computing the "over and above" requirement.

Where a Title I program provides services which replace regular classroom instruction in a particular subject area, the LEA must allocate to the Title I project the proportionate amount of regular teacher time that would have been required for the regular classroom teacher to serve the project participants in

the absence of the Title I services. Simply stated, the LEA contributes teaching time rather than money to the project.

Two determinations of teaching time are made:

- The LEA teacher time required for the Title I project
- The LEA teacher time actually allocated to the Title I project

The time allocated must be equal to or greater than the required time. The determinations are reported to the state educational agency [SEA] using full-time equivalent [FTE] numbers of staff or fractions thereof. One FTE is equal to the number of children served, on the average, by a full-time equivalent staff member (i.e., the district pupil/teacher ratio for a grade level or levels).

The attached description and diagram of the Elementary School Excess Costs Program shows how the required and allocated FTEs are determined (pp. D-3 and D-4). Other diagrams follow showing how the reading and math programs have been restructured to create a lower pupil/teacher ratio for Title I students (pp. D-5 and D-6).

TITLE I EXCESS COSTS PROGRAM
FOR AN ELEMENTARY SCHOOL
(January 1981)

The Excess Costs Reading Program serves 136 grade 1-6 pupils with intensified reading instruction during two class periods of 1.5 hours each. These instructional periods amount to 30 percent of the instruction each pupil receives during the day (1.5 hours/5 hours = .30). Six Title I teachers are assigned to both periods, whereas four LEA teachers are assigned to the first period and three to the second. The overall pupil/teacher ratio of the Title I classes is 7.2/1. The regular classroom pupil/teacher ratio overall is 28.1/1 as opposed to 25.5/1 before Title I reading classes.

The Excess Costs Math Program serves 68 grade 3-6 pupils with intensified math instruction during 2 class periods of 1 hour each. These instructional periods amount to 20 percent of the instruction each pupil receives during the day (1 hour/5 hours = .20). Six Title I teachers are assigned to both periods, whereas two LEA teachers are assigned to first period and one LEA teacher to second period. The overall pupil/teacher ratio of the Title I classes is 4.3/1. The regular classroom pupil/teacher ratio overall is 32.0/1, as opposed to 27.7/1 before Title I math classes.

TITLE I EXCESS COSTS PROGRAM FOR AN ELEMENTARY SCHOOL
(January 1981)

LEA TEACHER TIME REQUIRED

	# of Title I Pupils Served in Project	:	LEA Pupil/ Teacher Ratio	x	% of Instructional Day in Project	=	LEA FTEs Required For Project
READING	136	:	27.7/1	x	.30	=	1.47 FTEs
MATH	68	:	29.4/1	x	.20	=	.46 FTEs

TOTAL — REQUIRED LEA FTEs: 1.93

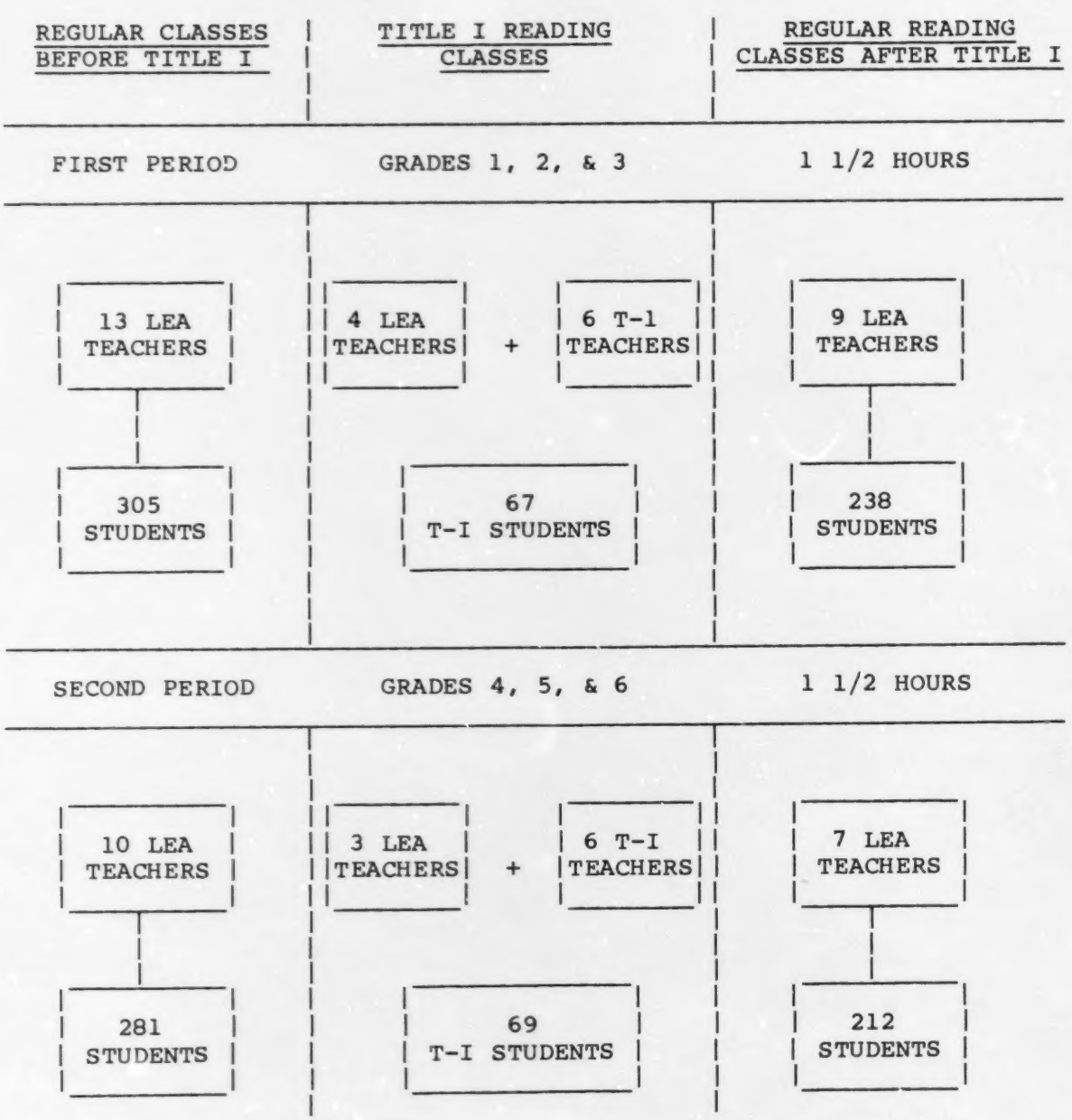
LEA TEACHER TIME ALLOCATED

	# of LEA Teachers Assigned to Project	x	% of Instructional Time in Project	=	LEA FTEs Allocated to Project
READING	7	x	.30	=	2.1
MATH	4	x	.20	=	.80

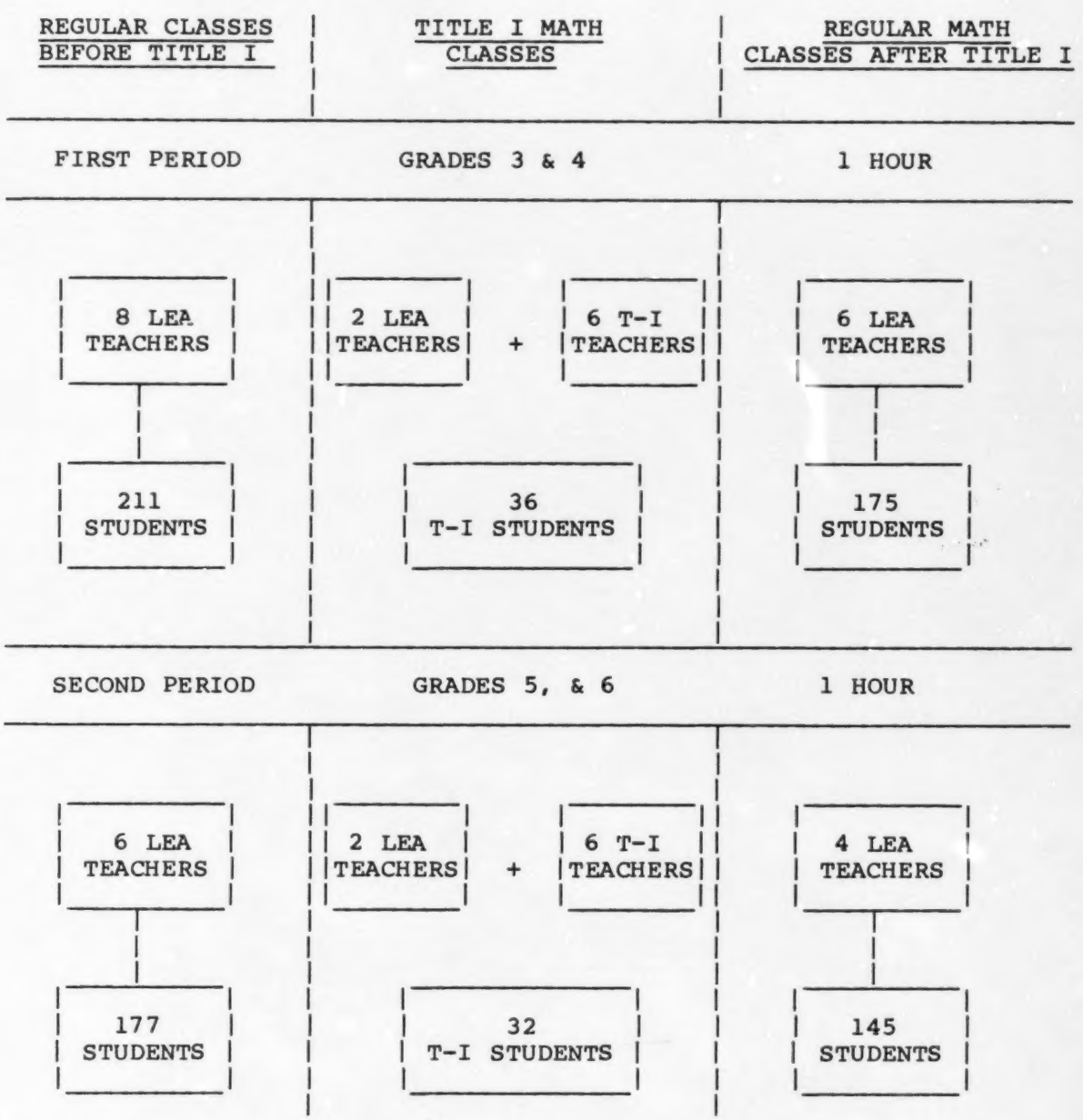
TOTAL — ALLOCATED LEA FTEs: 2.90

Please note that the allocated LEA FTEs are greater than the required LEA FTEs.

TITLE I EXCESS COSTS READING PROGRAM
FOR AN ELEMENTARY SCHOOL
(January 1981)



TITLE I EXCESS COSTS MATHEMATICS PROGRAM
FOR AN ELEMENTARY SCHOOL
(January 1981)



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